

## **APPENDIX S - SUPPLEMENTAL INFORMATION REPORT**

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### **S.1 INTRODUCTION**

A draft of the Fire, Fuels, and Related Vegetation Management Direction Plan Amendment (FMDA) was published in November of 2004 (USDI 2004a). During preparation of the Proposed Plan Amendment and Final Environmental Impact Statement (EIS) several steps have been completed: public comments received during the comment period associated with the draft have been considered and incorporated; Endangered Species Act (ESA) consultation has been completed and the results have also been incorporated into the Final EIS. Extended timeframes associated with completing the consultation process, coupled with shifting office and personnel priorities away from the FMDA effort have extended the original timeframe for completion of the amendment. During this period of delay several developments and new information regarding the planning area and the draft EIS have occurred. The new developments and information are noted below, in section S.2.1. As explained more fully herein, a supplement to the Draft FMDA/EIS was determined to be unnecessary. *See* Council of Environmental Quality (CEQ) regulations for implementing the procedural provisions of the National Environmental Policy Act (NEPA), codified at 40 CFR §1502.9(c)(1). This supplemental information report (SIR) contains the rationale for this determination.

### **S.2 ANALYSIS OF NEW INFORMATION AND CHANGED CIRCUMSTANCES RELEVANT TO ENVIRONMENTAL CONCERNS**

#### **S.2.1 SCOPE OF SUPPLEMENTAL INFORMATION REPORT (SIR)**

As noted above, this SIR was prepared to consider the significance of the new information and to inform the State Director of the adequacy of the existing analysis prior to the issuance of a Final EIS and Proposed Plan Amendment. The developments and new information pertinent to the FMDA since the draft EIS was released are:

##### **1. Applicability of the Data**

Specific on-the-ground conditions have changed since 2004 and there are additional datasets that have been developed since 2004.

##### **2. Additional BLM Policy and Direction for Management Activities**

A National Sage-Grouse Habitat Conservation Strategy was completed in 2004 (USDI-BLM 2004b), which was supplemented by a Conservation Plan for the Greater Sage-Grouse in Idaho in 2006 (USDI-BLM 2006).

A National EIS and Record of Decision (ROD) pertaining to vegetation treatments and chemical usage was completed in 2007 (USDI-BLM 2007).

A Land Use Plan Amendment and ROD for the implementation of a wind energy development program was completed in 2005 (USDI BLM 2005b).

A programmatic EIS was prepared to evaluate issues associated with the designation of energy corridors on federal lands in eleven western states (USDOE and USDI BLM 2006).

### **3. Changes in Administrative Boundaries and Designations**

The Idaho BLM redefined District Boundaries after the release of the Draft EIS. Public Law and Presidential Proclamation also changed land management designations in the area with the expansion of the Craters of the Moon National Monument.

Based on the evaluation and analysis documented in this SIR, the new information and developments that have occurred since the issuance of the Draft EIS do not represent significant new circumstances or information that is relevant to the environmental concerns and bearing on the Draft FMDA that would trigger a supplement. *See* 40 CFR §1502.9(c)(1). The FMDA analysis is sufficient for the purpose of complete disclosure contemplated under the requirements of NEPA.

### **S.3 APPLICABILITY OF THE DATA UTILIZED IN THE DRAFT EIS**

**ISSUE:** Do vegetative conditions that have changed since 2004 or the advent of new datasets that have been developed since 2004 result in significant new circumstances or information relevant to the environmental concerns, or have bearing on the proposed action or its impacts that would trigger a supplement as required by the Council on Environmental Quality (CEQ) Section 1502.9?

**RELEVANT SECTIONS IN FINAL EIS:** Proposed management for vegetation is described in Chapter 2 of the DEIS. Affected environment discussions are found in section 3.2 of Chapter 3, and impacts to vegetation resources are described in Chapter 4 by alternative. Additional information is also found in Appendix C.

**ANALYSIS:** New information regarding current vegetative conditions provides additional information on site-specific vegetation characteristics; however, the information does not identify or address new impacts beyond those analyzed in the broad range of alternatives considered in the Draft EIS. The conditions and analysis described in the Draft EIS was based on 32 years of accumulated vegetation and fire conditions, the additional site specific data does not effect the objectives or need for action nor does the data alter the broad range of effects identified and addressed in the FEIS. This information will be applicable in the preparation of site-specific analyses for authorizing future management actions as part of implementing the FMDA.

The availability of additional datasets also provides information regarding the vegetation characteristics within the planning area. The utility of a common dataset in a regional assessment of this nature is to approximate vegetation conditions across a wide area which allows for consistent comparison between alternatives. While each unique dataset has inherent advantages and disadvantages when compared to others, the new datasets do not provide a substantial difference in comparison to the dataset used in the Draft EIS.

Fire Regime Condition Class (FRCC) depicts how much the current (the period after European settlement) fire regime and vegetation conditions departs or deviates from the historic (the period prior to European settlement of North America) fire regime and historic vegetation conditions. FRCC is determined by using current fire regime data and vegetation conditions and calculating the difference from the estimated historic fire regime (HFR) and vegetation conditions. Changes in vegetation conditions are described in terms of species composition, structure, age, and canopy closure. Changes in fire regime characteristics are described in terms of wildland fire frequency and severity. The end product is the degree of departure from the HFR and the historic vegetation

conditions. An FRCC rating is expressed as a percentage between 0 and 100 and is indexed into three categories, 1, 2, and 3.

As required by national BLM planning policy (USDI-BLM 2005a), landscape-level fire management goals and objectives should be determined using FRCC methodology to identify desired wildland fire conditions.

For the purpose of FMDA, FRCC analysis was used to:

- Develop landscape-scale goals introduced in Chapter 1 - *Purpose and Need*
- Prioritize fuels treatment criteria in Chapter 2 - *Descriptions of Alternatives*
- Develop fuels management goals and objectives common to all alternatives in Chapter 2 – *Descriptions of Alternatives*.
- Describe existing vegetation conditions and to define fire's natural role in the ecosystem in the vegetation and fire management sections of Chapter 3 - *Affected Environment*.
- Analyze the affects of the alternative treatments in Chapter 4 - *Environmental Consequences*, in the wildland fire management section.

When FRCC analysis began for the FMDA in 2002, standard methodologies for determining FRCC were not finalized nor published, and not available for use in land use planning analysis. Consequently, in order to use FRCC and follow BLM policy, a method for calculating FRCC for use in the FMDA was developed and used in the FRCC analysis 2002-2004. The method developed was influenced by draft FRCC guidance and literature that existed during this period (McNicoll and Hann 2002, Hann 2002).

The methodology used to determine HFR/FRCC is summarized below:

1. **Determine current dominant over-story Vegetation.** For the purposes of FMDA, Idaho Regional GAP (gap analysis program) data (1992) was used to determine current dominant over-story vegetation. Field Office staffs reviewed the satellite derived vegetation maps and, based on fire history, field experience, and professional judgment, modified/revised the maps to better reflect local conditions.
2. **Assign an "Idaho Vegetation Cover Type" to one or more GAP vegetation type(s).** GAP vegetation types were grouped, based on similarities in fire frequency and severity and assigned an Idaho Vegetation Cover Type name (e.g. low elevation shrub). Most of the Idaho Vegetation Cover Types can readily be related or 'cross-walked' with the LANDFIRE Potential Natural Vegetation Group (PNVG)/ Biophysical Setting (BpS).
3. **Determine Historic Fire Regime and convert to Natural Fire Rotation (NFR).** A Historic Fire Regime (historic fire frequency and severity) was assigned to each Idaho Vegetation Cover Type by consulting scientific literature and studies regarding fire history/fire ecology within the local region. After HFR was assigned, the reported fire frequency in literature was used and converted to a natural fire rotation (NFR). The NFR for each vegetation cover type becomes the baseline or historical reference condition that both current and future fire frequency is compared to (one of two departure scores that make up the final FRCC rating for a vegetation cover type).

<b>TABLE 1. DESCRIPTION OF IDAHO COVER TYPES</b>		
<b>Idaho Cover Type</b>	<b>Most Common Historic Fire Regime</b>	<b>Description</b>
Annual Grass	IV	Potential sagebrush steppe; Principally, cheatgrass and noxious weeds like medusahead wildrye, yellow starthistle, knapweed, etc.
Perennial Grass	IV, II	Principally, potential sagebrush steppe or mountain shrub that has either been recently burned or seeded (native or exotic). Some areas, mainly in southwest and central Idaho may be native grasslands, principally dominated by grass species such as bluebunch wheatgrass, Idaho fescue.
Low Elevation Shrub	IV	Sagebrush steppe dominated by Wyoming big sagebrush, basin big sagebrush, etc, with native grass and for understory. Biological crust in interspaces.
Mid Elevation Shrub	II	Sagebrush steppe dominated by Mountain big sagebrush, low sagebrush, bitterbrush. With native grass and forb understory. Biological crust may be present in interspaces.
Juniper	II, V	Predominately potential sagebrush steppe that has been encroached by rocky mountain juniper and Utah juniper. Also represents natural juniper and pinyon/juniper areas mainly found in rocky soils and ridgetops.
Mountain Shrub	II, III	Areas dominated by serviceberry, buckbrush (Ceonothus), snowberry, ninebark, bigtooth maple, chokecherry, antelope bitterbrush, etc. with native grass and forbs in understory.
Aspen Conifer Mix	III	Includes healthy stands of pure aspen and stands of aspen with invading conifers.
Dry Conifer	I, III	Areas dominated by ponderosa pine, Douglas fir, western larch, grand fir, limber pine, and other species.
Wet/Cold Conifer	IV or V	Areas dominated by lodgepole pine, subalpine fir, western hemlock, mountain hemlock, Engelmann spruce, etc.
Salt Desert Shrub	V	Atriplex spp. (four-wing, shadscale), spiny hopsage, winterfat, greasewood, etc. with native grass and forb understory. Biological crust in interspaces.
Vegetated Rock/Lava	V	Lava, sand dunes, and barren areas with >5% vegetation.
Other (Barren, Rock, Water)	Not Rated	Areas with <5% vegetation, water bodies, and urban/agricultural areas.
Riparian Areas	Not Rated	Streamside and wetland areas of cottonwood and willow.

4. **Determine "reference" vegetation conditions (structure and composition)" and set Desired Future Conditions (DFC).** DFC (expressed as a percentage) for each vegetation type and successional stage is determined by multiplying the natural fire rotation (percentage of vegetation cover type that would need to burn each year to entirely burn the vegetation cover type within the replacement time period), the percentage of characteristic vegetation within the cover type and the longevity of the successional stage in years together.

The DFC determined for each vegetation cover type reflects the overall mixture of succession stages expected over time across a field office given a rate (or range of rates) of disturbance similar to that of historical times (pre-European settlement). The underlying assumption being that, through time, plants and animals have evolved and adapted to a similar rate of disturbance and should therefore be less likely to be at risk of loss of key ecosystem components in the face of large and/or severe disturbance.

5. **Determine current vegetation/fuel conditions and current Natural Fire Rotation.** FMDA uses 32 years of large wildland fire perimeter data in conjunction with local information and expertise to determine current proportions of successional stages and uncharacteristic vegetation by general vegetation cover type across each Field Office area. This information was used to determine current vegetation/fuel conditions expressed in terms of proportion of the vegetation type existing within each vegetation type. For the FMDA effort, Idaho Regional GAP data (1992) was used to determine current vegetation characteristics. GAP data was corrected to include large fires, past treatment areas, and large patches of noxious weeds and/or annual grasses. Existing proportion of successional stages was compared to "reference condition" proportions to ultimately determine current FRCC. To determine the current Natural Fire Rotation 32 years of wildland fire perimeter and history data was used. (While several years of additional fire perimeter and vegetation conditions field data have been collected the data utilized in the development of the DEIS is amply sufficient to identify fire trends. Changes in vegetative conditions as a result of fire were expected and were factored into the analysis in the DEIS. The data collected since 2000 does not indicate significant departures from expected trend or condition over that which was assessed in the DEIS.)
6. **Calculate FRCC.** To determine FRCC in FMDA, current vegetation conditions were compared to the reference conditions developed by the interdisciplinary team (IDT), and a similarity index value was calculated. In the same way, current NFR was compared to the historic NFR and a similarity index value was calculated. These two similarity index values were then used together to determine an overall current FRCC rating. For each, a similarity of 0 to 33 percent represents FRCC1, from 34 to 66 percent represents FRCC2, and from 67 to 100 percent represents FRCC3. In addition to determining current FRCC, for FMDA alternative comparison and analysis, successional pathway diagrams were used to estimate FRCC for each alternative after 10 years and 30 years. Model assumptions were developed using expert opinions provided by the IDT. These successional pathway diagrams were used to estimate changes in vegetation structure given alternative treatment levels, predicted amounts of wildland fire, and successional rates inherent to each vegetation cover type (see FMDA DEIS, Appendix C).

In 2005, an interagency methodology for determining FRCC was developed as documented in *Interagency Fire Regime Condition Class Guidebook* (USDA and USDI 2005). The methodology used to determine HFR/FRCC is summarized below:

1. **Determine Biophysical Setting (BpS)/PNVG and Dominant Overstory Vegetation.** The BpS/PNVG models represent reference conditions for each vegetation strata. The most recent and accurate data is used to determine in the geographic area of analysis the physical setting and vegetation that can occupy a site. Physical characteristics include climate, geology, geomorphology, and soils. Vegetation includes the area's native species and associated successional stages. In addition to these attributes, each BpS/PNVG also features characteristic ecological processes of fire frequency and severity and there provides a foundation for determining fire regime and fire regime condition class.
2. **Determine Historic Fire Regime (HFR).** Once a BpS/PNVG is assigned, the HFR is determined as a part of the reference condition model.
3. **Determine Historical Vegetation Characteristics or "Reference Conditions".** Once a BpS/PNVG is assigned, the "reference conditions" for each vegetation type are determined as a part of the reference condition model. Reference conditions for each BpS/PNVG are determined by experts through synthesis of expert knowledge, published literature, and historical information using standardized computer modeling tools and processes (Vegetation Dynamics Development Tool, VDDT).
4. **Determine Current Vegetation/Fuel Conditions and Fire Frequency/Severity.** Gather local information to determine current vegetation/fuel conditions expressed in terms of proportion of the vegetation type existing within each vegetation type. The guidebook suggests using local data, aerial photography, maps and field checks to determine current vegetation/fuel conditions. It suggests using field data and local knowledge to determine current fire frequencies and severities.
5. **Calculate FRCC.** To determine FRCC, current vegetation conditions are compared to the reference conditions provided in the BpS, and a similarity index value was calculated. In the same way, current NFR was compared to the historic NFR and a similarity index value was calculated. These two similarity index values were then used together to determine an overall current FRCC rating. For each, a similarity of 0 to 33 percent represents FRCC1, from 34 to 66 percent represents FRCC2, and from 67 to 100 percent represents FRCC3

### **S.3.1 DIFFERENCES BETWEEN THE FMDA AND THE INTERAGENCY METHODOLOGY FOR DETERMINING FRCC**

**REFERENCE CONDITIONS:** The guidebook suggests the use of LANDFIRE Biophysical Setting (BpS) successional pathway models and associated descriptions for the historic/reference conditions used in FRCC calculations. These models were developed in several regional workshops where experts in vegetation research and management provided input. A Biophysical Setting is a delineation of land based on the geographic area, physical setting, and vegetation community that can occupy the setting. These BpS models provide historic/reference fire frequencies and severities, the expected number of successional stages of vegetation and how they are proportioned across the landscape given a historic fire regime, and the amount of time it takes for a given successional stage to move to the next successional stage in the absence of disturbance.

FMDA uses natural fire rotation, considers uncharacteristic vegetation and uses successional stage longevity to develop a reference condition, also used as the Desired Future Condition (DFC). DFC for each of the 12 general Idaho Vegetation Cover Types was used as the basis of comparison with current vegetation conditions in the FRCC analysis. The DFC determined for each vegetation cover type reflects the overall mixture of successional stages expected over time across a Field Office area given a rate of disturbance similar to that of historical times. Historical rates of disturbance were estimated using scientific literature and local expert opinion. Some DFCs (e.g. low-elevation shrub) include a percentage of uncharacteristic vegetation in the mix (e.g. cheatgrass monoculture) reflecting the reality that complete eradication of these kinds of vegetation is not possible with current knowledge and technology.

**CURRENT CONDITIONS:** FMDA uses the natural fire rotation concept, 32 years of large wildland fire perimeter data, and local expert opinion to determine current fire frequencies and severities by general vegetation cover type. The guidebook suggests using fire atlas data, field collected data (e.g. fire scarred trees, stand ages), and local expert opinion to determine current fire frequencies and severities.

The guidebook suggests the use of local data such as aerial photography, maps, monitoring data, and walkthroughs to determine the current proportion of successional stages by BpS across a landscape. FMDA uses 32 years of large wildland fire perimeter data in conjunction with local expertise to determine current proportions of successional stages and uncharacteristic vegetation by general vegetation cover type across each Field Office area.

**PREDICTING FUTURE FRCC FOR ALTERNATIVE COMPARISON:** The FMDA needed a method to determine what the effects to vegetation would be in 10 years given the 5 different alternative levels of proactive treatment proposed (a futuring exercise). Using scientific literature, local and expert knowledge, and successional pathway models developed during the Interior Columbia River Basin Ecosystem Project, a set of successional pathway models were developed for the general vegetation cover types in FMDA. Assumptions were made about how much wildland fire would occur over the next 10 years given proactive treatment, how much time would elapse as vegetation moved from one successional stage to another in the absence of disturbance, and how the various types of treatments analyzed in the document would move vegetation from one successional stage to another. By modeling the outcome of 10 years of proactive treatment, succession, and wildland fire (by alternative) a comparison of future vegetation conditions with DFC was possible. The guidebook does not provide guidance for determining future vegetation conditions.

### **S.3.2 DATA USE IN FMDA**

When FRCC analysis began for the FMDA in 2002, standard methodologies for determining FRCC were not finalized nor published, and not available for use in RMP analysis. Consequently, in order to use FRCC consistent with BLM policy and quantitatively analyzing alternatives using FRCC, a method for calculating FRCC for use in the FMDA was developed and utilized.

In addition to the fact that LANDFIRE data was not available at the time that the FMDA FRCC analysis was completed, LANDFIRE FRCC data is not intended to be used at the land use plan (LUP) , mid-scale or project level. LANDFIRE FRCC data is intended to be used at the statewide

scale, with the primary intent of assisting in national determination of funding/staffing priorities. Local data is to be used to determine FRCC at the LUP, mid-scale and project level.

### **S.3.3 IMPACT OF ANALYSIS RESULTS OR CONCLUSIONS**

FRCC was used as a general management goal common to all alternatives: "All vegetation types would be moved towards DFC and from FRCC2 and/or FRCC3 towards FRCC 1." (FMDA DEIS, Chapter 2, Section 2.4.1.1) This goal of improving the health of public lands is central to the BLM's mission and would not change if a different methodology was used.

FMDA FRCC methodology provided the DFC percentages for the purpose of quantitative comparison of alternatives in a relative manner. Although DFC and current condition percentages may differ when different methodologies are employed, the trend of increasing or decreasing percentages of a vegetation cover type's successional stage/age class across the landscape would not change. Because the attributes used to determine DFC were modeled and estimated using scientific literature and local expertise, the successional stage/age class distribution for a given DFC is not viewed as a target. The DFC successional stage/age class percentage, when compared to the current successional stage/age class percentage, indicates a desired trend. For example, if it is identified that approximately 20 percent of a vegetation cover type is dominated by shrub/grass: greater than 30 years old, and the DFC indicates 50 percent, the desired trend is to create more shrub/grass: greater than 30 years old over time with the proposed management actions. FMDA's primary objective is to meet the landscape-level fire and fuels management goals.

## **S.4 ADDITIONAL DIRECTION FOR MANAGEMENT ACTIVITIES**

**ISSUE:** Does the addition of new guidance including the Cohesive Strategy *Protecting People and Natural Resources-A Cohesive Strategy* (USDA USDI 2006), vegetation treatments or sage grouse and sage grouse habitat result in significant new circumstances or information relevant to the environmental concerns and bearing on the proposed action or its impacts that would trigger a supplement as required by the Council on Environmental Quality (CEQ) Section 1502.9?

**RELEVANT SECTIONS IN DRAFT EIS:** BLM issued policy statements (Instruction Memoranda) and program guidance (BLM Handbooks) after publication of the Final EIS in the areas of Wind Energy, Energy Mineral Management, Wildlife, and Land Use Planning. Proposed management for vegetation is described in Chapter 2 of the DEIS for the range of alternatives. Impacts to vegetation resources are described in Chapter 4 by alternative. Additional information is also found in various appendices.

**ANALYSIS:** The Draft EIS released in 2004, utilized and was designed based on the most current guidance and strategies provided by the Cohesive Strategy and sage grouse strategies. Since the document release the Cohesive Strategy (USDA 2000) has been updated and the BLM has released a national (USDI BLM 2004) and state wide (USDI BLM 2006) strategy regarding sage grouse. There is also a new Conservation Assessment (Connelly et al. 2004), and Comprehensive Conservation Strategy that has been released by the Western Association of Fish and Wildlife Agencies (Stiver et al. 2006). The BLM also prepared: 1) an EIS and issued a decision regarding herbicide use on public lands in 2007 (USDI BLM 2007); 2) a Land Use Plan Amendment and ROD for the implementation



of a wind energy development program in (USDI BLM 2005b); 3) a programmatic EIS was prepared to evaluate issues associated with the designation of energy corridors on federal lands in eleven western states (USDOE and USDI BLM 2006); 4) several Instruction Memoranda relevant to the FMDA.

#### **S.4.1 COHESIVE STRATEGY**

In February 2006, USDA and USDI finalized a strategy entitled *Protecting People and Natural Resources-A Cohesive Fuels Treatment Strategy*. The Cohesive Strategy developed in 2000 by USDA was updated and expanded in 2006 to include the USDI agencies.

The intent of the Cohesive Strategy is to provide a strategic and realistic approach for reducing fuels on Federal lands by focusing on specific goals that address the multiple factors that influence fuels treatments.

In a given year, Federal dollars can support a finite number of fuels treatments covering a fraction of the acres at high risk from unusually severe fires. The strategy points the way to picking which acres to treat and treatment methods to use, and does so in ways that address multiple concerns voiced by various segments of society.

The mission of the strategy is to lessen risks from catastrophic wildfires by reducing fuels build-up in forests and woodlands and by reducing threats from flammable invasive species on rangelands in the most efficient and cost effective manner possible.

By providing a succinct and integrated presentation of policy and management objectives and methods, the strategy is intended to help relevant parties achieve risk reduction and resource management goals.

The strategy outlines a common fuels treatment mission for the federal agencies, addresses priority setting and collaboration, and sets goals to measure effectiveness and efficiency in reducing hazardous fuels and restoring fire-adapted ecosystems.

#### **S.4.2 SAGE-GROUSE STRATEGIES**

Several broader-scale sage-grouse strategies and plans currently exist, including the WAFWA Greater Sage-grouse Comprehensive Conservation Strategy; BLM's National Sage-grouse Habitat Conservation Strategy; the 2006 Conservation Plan for the Greater Sage-grouse in Idaho, and several Local Working Group Plans.

In 2004 the BLM issued a National Strategy regarding the management of sage grouse habitat on public lands. In 2006, Idaho BLM, in cooperation with the Idaho Department of Fish and Game and other federal, state, and NGO partners completed the Conservation Plan for the Greater Sage-grouse in Idaho (USDI-BLM 2006). A Memorandum of Understanding (MOU) implementing the Plan was signed by state-level directors, and endorsed by then Governor James Risch, on July 10, 2006. The National Strategy and Idaho Plan for sage grouse provide considerable background information on sagebrush/sage-grouse ecology, direction for Local Working Groups, prioritization of statewide threats, recommended conservation measures, reference documents and other information.

During the development of the DEIS representatives from both Idaho Fish and Game (IDFG) and US Fish and Wildlife Service (USFWS) participated on the interdisciplinary team to develop goals, objectives and management actions identified in the DEIS. While sage grouse is not currently listed as a threatened or endangered species and endangered species act consultation is not required, sage grouse was considered throughout the development process. An appendix describing the conservation measures to be considered in developing vegetation management treatments described in the FMDA is included with the Final EIS.

#### **S.4.3 BLM POLICY / HERBICIDE USE / WIND ENERGY / ENERGY CORRIDORS**

The policy and guidance listed below is not a complete listing of all instruction and information memoranda issued by the BLM since completion of the FEIS analysis. However, the list contains the most comprehensive and inclusive policy changes or modifications that could possibly affect the impact analyses, management actions, mitigation, and potential decisions in the Proposed JMH CAP/EIS. Other policy and guidance were reviewed but were determined to have minimal or no potential to result in significant new circumstances or information relevant to the environmental concerns and bearing on the proposed plan implementation or impacts that would trigger the need for a supplement at this time. All existing/current information and policies will be considered during the NEPA process for future plan implementation actions.

Based on review of the policies and program guidance issued since November 2004, the following documents were determined to have the potential for policy changes or modifications that could possibly affect the impact analyses, management actions, mitigation, and/or potential decisions in the Draft FMDA.

The Wind Energy Development Program and Associated Land Use Plan Amendments Record of Decision (ROD) (USDI 2005b). This ROD was issued in December of 2005. Decisions in the programmatic EIS establish standard practices for evaluating and approving wind energy projects on public lands. 52 BLM land use plans were amended.

The Energy Policy Act of 2005 (Public Law 109-58, U.S. Code 2005). This act was passed by Congress in August 2005. This act encourages energy efficiency and conservation, promoting alternative and renewable energy sources, reducing our dependence on foreign sources of energy, increasing domestic production, modernizing the electricity grid, and encouraging the expansion of nuclear energy. This act has led to recent management direction for enhancing domestic energy development such as the preparation of a West-Wide Corridor Programmatic EIS (USDOE and UDSI BLM 2006) and the establishment of pilot offices and methods for streamlining the processing of energy applications.

The Energy Policy Act of 2005, Section 369 (d)(1), requires BLM to complete a programmatic environmental impact statement for a commercial leasing program for oil shale and tar sands resources on public lands, with an emphasis on the most geologically prospective lands within each of the states of Colorado, Utah, and Wyoming.

IM 2006-083, Implementation of Section 368 of the Energy Policy Act of 2005 (EPA). This Instruction Memorandum provides Bureau of Land Management State Directors:

1. An explanation of the Interagency West-wide Energy Corridor Programmatic Environmental Impact Statement (PEIS);
2. Status of the PEIS progress made to date;
3. Planned interagency strategy to prepare the PEIS;
4. Anticipated future role for the affected State Offices (SO) and Field Offices (FO);
5. Subsequent workload impacts the PEIS may have on affected SO and FO; and
6. Direction for mandatory attendance by SO/FO personnel at a series of multi-agency joint workshops for identifying draft alternative energy corridor routes.

The Federal Register Notice of Intent for this Programmatic EIS was published in the Federal Register on September 28, 2005. The scoping report was completed in February 2006. A map of potential corridors was recently released and is available on the website <http://www.corridoreis.anl.gov/documents/index.cfm>.

IM 2005-024, National Sage Grouse Habitat Conservation Strategy. This IM containing the Bureau's strategy for management of greater sage-grouse habitat provides (1) guidance for addressing sagebrush habitat conservation in land use plans under action item 1.3.1 in the National Sage-grouse Strategy, and (2) guidance for the management of sagebrush plant communities for greater sage-grouse conservation under action item 1.4.1 in the National Sage-grouse Strategy.

Since publication of the Draft EIS in November 2004, the National Sage-Grouse Habitat Conservation Strategy was released (November 2004); and the USFWS released their findings regarding listing of the greater sage-grouse as a T&E species and found that listing was not warranted (Federal Register publication, January 12, 2005).

IM 2006-114, State Wildlife Action Plans. The purpose of this Instruction Memorandum is to direct the Bureau of Land Management State Directors, District and Field Managers to consider State Wildlife Action Plans (also known as Comprehensive Wildlife Conservation Strategies) in land use and conservation planning on BLM-administered lands.

BLM Handbook H-1601-1, Land Use Planning. This handbook was released in March 2005 (USDI 2005a). This handbook provides the direction for preparing land use plans, and implementing the land use planning requirements established by FLPMA.

Record of Decision. The Assistant Secretary, Land and Minerals Management, signed and approved a Record of Decision (ROD) on September 28, 2007 regarding herbicide use on public lands (USDI BLM 2007). The Federal Register Notice of Availability was published on October 5, 2007.

The ROD included the following decisions:

- Allow the new use of four EPA approved herbicide active ingredients on public lands including imazapic (commercially known as Plateau). See discussion below regarding use of imazapic for controlling cheatgrass.
- Allow a total of 14 EPA approved active ingredients for continued use on BLM lands; the use of six active ingredients will discontinue on BLM lands.

- A protocol to be used in adding new EPA-registered active ingredients to the BLM list of approved herbicides through future supplemental NEPA analysis.
- A list of standard operating procedures and mitigating measures to be used when applying herbicides.

The ROD did not include decisions regarding non-herbicide treatments.

**DOES THIS INFORMATION ALTER THE ANALYSIS RESULTS OR CONCLUSIONS IN THE DRAFT EIS?** These policies, strategies, plans and decisions apply, in a broad manner, to the planning area. They address consistency with cross jurisdictional planning and implementation of actions on the ground.

The FMDA addresses these concerns, and at the land use planning scale, is consistent with these additional management direction documents. The implementation, monitoring, and evaluation process of the proposed plan amendment anticipates the receipt of new information. New information such as that cited above improves our understanding about the nature and extent of management actions on sage grouse habitats. However, the new information does not identify any new potentially significant impacts, circumstances, information, or impacts beyond the range and scope already considered and analyzed in the Draft FMDA. The FMDA proposed actions and analysis is consistent with this new information, but does not alter the conclusions or land use allocation decisions described in the proposed plan amendment. The DEIS analysis is sufficient for the purpose of complete disclosure contemplated under the requirements of NEPA and the FEIS will disclose the new information. Therefore, this new information does not support the need to prepare a supplemental analysis. However, the additional knowledge provided by monitoring activities and these and future studies will be considered in evaluating the continued effectiveness of existing mitigation and implementing changes through plan maintenance actions.

The Draft FMDA complied with all BLM policies in existence upon its publication and the Final EIS will comply with all existing BLM policies upon its publication. The Programmatic Wind Energy EIS, the Energy Policy Act of 2005, state wildlife action plans, the greater sage-grouse and sagebrush national policy, and the Revised Planning Handbook are the policies that contain some substantive changes that could have affected the impact analyses, management actions, mitigation, and potential decisions of FMDA. These policies are addressed in this section of the SIR. All of the other policy changes were determined to be procedural in nature and have no effect on the analysis or conclusions in the FMDA. These policies are summarized in Attachment 1.

Wind Energy EIS. The Wind Energy EIS Record of Decision was signed in December of 2005 (USDI 2005b). This ROD provides an amendment to all twelve of the plans to be amended by the FMDA. Wind energy proposals will be analyzed on a case-by-case basis and the policies provided in the ROD for the programmatic EIS will be applied.

The Energy Policy Act of 2005. A Programmatic Environmental Impact Statement (PEIS) evaluating the designation of energy corridors on federal lands in eleven Western states is currently underway in conformance with section 368 of the Energy Policy Act of 2005. The FMDA planning area contains areas identified for potential corridor designation in the Corridor PEIS. All anticipated, potential direct, indirect and cumulative impacts will be assessed and disclosed for all areas as part of the Corridor PEIS analyses.

IM 2006-114, State Wildlife Action Plans, and the Idaho Fish and Game Comprehensive Wildlife Conservation Strategy. Idaho Fish and Game Department biologists were directly involved with the FMDA planning process and were satisfied with the approach to sage grouse as described in the Draft FMDA. The BLM biologists have worked with the IDFG to remain apprised of ongoing efforts. The FMDA provides for application of site-specific mitigation for potential environmental impacts to meet resource management goals. These guidelines are not contrary to the direction and management for the area and will be considered in site-specific analyses conducted for activities in the FMDA area.

IM 2005-024, National Strategy for Greater Sage-Grouse. The national strategy for greater sage-grouse provides additional guidance with respect to managing important habitats, working with partners, and applying best management practices. Idaho staffs were actively engaged during the process of developing the requirements of this policy. Requirements for the protection of greater sage-grouse habitat developed in conjunction with state and local cooperating agencies are incorporated into the FMDA. Any plan modifications that are necessary because of research results, monitoring, etc., will be incorporated through the plan implementation, monitoring, and evaluation process.

The FMDA recognizes the importance of managing greater sage-grouse habitat to maintain, enhance, and restore these habitats while providing for other appropriate uses of BLM-administered public lands. The FMDA identifies alternative management actions and analysis of the effects to greater sage-grouse for each alternative, in conformance with the guidance provided in the national conservation strategy.

BLM Handbook H-1601-1, Land Use Planning. BLM Handbook H-1601-1 guides preparation of land use plans and thus affects the process for preparation of the FMDA. The FMDA conforms to all substantive requirements in the revised handbook.

Based on a thorough review of the policy changes from November 2004, through the timing of this review, there are no changes that result in significant new circumstances or information relevant to the environmental concerns and bearing on the proposed action or its impacts that would trigger a supplement as required by the Council on Environmental Quality (CEQ) Section 1502.9. Any necessary changes in the FMDA will be reflected in the Final EIS for the FMDA or through the preparation of the RMP implementation plan, site-specific actions and the implementation, monitoring, and evaluation process.

## **S.5 CHANGES IN ADMINISTRATIVE BOUNDARIES AND DESIGNATIONS**

**ISSUE:** Does the alteration of District and Field Office boundaries, including the expansion of the Craters of the Moon National Monument result in significant new circumstances or information relevant to the environmental concerns and bearing on the proposed action or its impacts that would trigger a supplement as required by the Council on Environmental Quality (CEQ) Section 1502.9?

**RELEVANT SECTIONS IN FINAL EIS:** The planning area has been described in Chapter 1 of the Draft FMDA. Chapter 2 addresses potential acreages that could be treated within a ten-year implementation period and Chapter 4 addresses impacts of these treatments by alternative.

**ANALYSIS:** After publication of the Draft FMDA EIS the Idaho BLM re-designated District Office Boundaries. Field Office boundaries were retained largely intact. The planning area for the FMDA has remained the same even though portions originally identified within the Idaho Falls District will be identified within the Twin Falls District in the Final EIS. The change in administrative boundaries does not change the purpose or need for the plan amendment, nor does it affect the proposed action or alternatives described in the Draft FMDA.

A Presidential Proclamation prior to the release of the Draft FMDA changed the administrative designation of over 400,000 acres of BLM managed land to be included with the existing Craters of the Moon National Monument. The Monument is now partially managed by BLM and the National Park Service. As a result of this proclamation the Monument has prepared and completed a management plan (MMP) (USDI BLM and NPS 2006). The MMP addressed fire and fuels treatments similar to the FMDA. Since the FMDA was already underway when the MMP started, the MMP planning team used the approach described in the FMDA as a starting point and refined the proposal based on the additional information for the National Park Service managed portion of the monument. The approach to vegetation treatments on the areas described in the FMDA that are now within the monument remain consistent with those described in the Draft FMDA. For this reason the analysis described in Chapter 4 of the Final FMDA will describe these acres as direct effects rather than a future foreseeable effect. The analysis is essentially the same and the only change would be in the formatting of how information in the document is displayed – not a change in the analysis. The FMDA will not amend the MMP – all decisions within the monument will be based on the MMP.

**DOES THIS INFORMATION ALTER THE ANALYSIS RESULTS OR CONCLUSIONS IN THE FINAL EIS?** The administrative boundary changes do not change the analysis in the FMDA nor modify the management actions/prescriptions identified. Further analysis is not needed because the FMDA already analyzes the effects of the proposed actions – the actions described are consistent whether those actions are based on the Final FMDA or the FEIS for the MMP. Cumulative impacts have not changed. The administrative boundary changes do not change the analysis and offer no significant new circumstances or conditions that would alter any decisions proposed in the FMDA - therefore, no supplemental analysis is required.

## **S.6 STATEMENT OF FINDINGS**

The BLM has considered this information and has taken a hard look to determine the need for a supplemental EIS. Based on the evaluation and analysis presented in this document the new information and developments that have occurred since the issuance of the Draft EIS do not represent significant new circumstances or information relevant to environmental concerns or bearing on the proposed actions or its impacts.

The Idaho Falls and Twin Falls District Office Staff have thoroughly investigated policy changes and new information provided since the release of the FMDA in November 2004. Policy changes and new information were evaluated in terms of context and intensity as defined in Section 1508.27 of the CEQ regulations to establish whether they are significant.

Based on a thorough review of the policy changes from November 2004, through the timing of this review, the FMDA complies with all substantive changes in BLM policies that could impact the NEPA analysis and/or potential mitigation and proposed decisions. Any necessary modifications in the FMDA resulting from non-substantive policy changes will be reflected in the Final FMDA or during the preparation of the implementation plan, site-specific actions/authorizations, and the implementation, monitoring, and evaluation process.

Based on this thorough review, the new information evaluated does not identify any new potentially significant impacts, circumstances, information, or impacts beyond the range and scope already considered and analyzed in the FMDA. This new information would add to the FMDA analysis, but would not alter the conclusions or proposed decisions. The implementation, monitoring, and evaluation process of the FMDA anticipates the receipt of new information. New information such as that evaluated during this review improves our understanding. We will continue to acquire information and will accept credible information during the implementation phase of the FMDA. We will consider new information and data relating to resources and activities as the information becomes available. The proposed implementation, monitoring, and evaluation described in the Draft FMDA (Section 2.5) provides for the adjustment of management actions necessary to ensure continuation of resources such as suitable wildlife habitats and provides for uses in the area. Additional knowledge provided through monitoring activities and current and future studies will be considered in evaluating the continued effectiveness of existing mitigation, implementing changes through plan maintenance actions, and application of conditions of approval for permitted activities, as necessary.

In summary, there is no new information, policy change, or proposed project since completion of the Draft FMDA in November 2004, that results in significant new circumstances or information that is relevant to the environmental concerns and bearing on the Draft FMDA that would trigger a supplement. *See* 40 CFR §1502.9(c)(1). The FMDA analysis is sufficient for the purpose of complete disclosure contemplated under the requirements of NEPA.

## S.7 ATTACHMENT 1

### QUICK REFERENCE TO INSTRUCTION MEMORANDA

The following BLM instruction memoranda were issued after the FMDA DEIS/Plan Amendment was published (November 2004). The instruction memoranda that could have affected the impact analyses, management actions, mitigation, and potential decisions of the FMDA Final EIS/Plan Amendment are discussed in detail in the SIR and included here for easy reference.

#### WO Instruction Memoranda

##### 2005

2005-024      **National Sage-Grouse Habitat Conservation Strategy**

**Purposes:** Issuance of Bureau of Land Management's (BLM) National Sage-grouse Habitat Conservation Strategy (National Sage-grouse Strategy) and required action items: (1) guidance for addressing sagebrush habitat conservation in land use plans under action item 1.3.1 in the National Sage-grouse Strategy, and (2) guidance for the management of sagebrush plant communities for sage-grouse conservation under action item 1.4.1 in the National Sage-grouse Strategy.

##### 2006

2006-004      **Interim Guidance for Implementation of the Energy Policy Act of 2005 [P.L. 109-58] for Federal Coal Leasing**

**Purpose:** Provide interim guidance for implementation of Section 432 of the Energy Policy Act of 2005 [P.L. 109-58] which increases the limitation for lease modifications from 160 acres to 960 acres.

2006-073      **Weed-Free Seed Use on Lands Administered by the Bureau of Land Management**

**Purpose:** This Instruction Memorandum (IM) describes Bureau of Land Management (BLM) policy for the quality of seed purchased by BLM for use on public lands.

2006-083      **Implementation of Section 368 of the Energy Policy Act of 2005 (EPA) DD: 02/10/2006**

**Issue:** This Instruction Memorandum (IM) provides Bureau of Land Management (BLM) State Directors:

1. An explanation of the Interagency West-wide Energy Corridor Programmatic Environmental Impact Statement (PEIS);
2. Status of the PEIS progress made to date;
3. Planned interagency strategy to prepare the PEIS;
4. Anticipated future role for the affected State Offices (SO) and Field Offices (FO);



5. Subsequent workload impacts the PEIS may have on affected SO and FO; and
6. Direction for mandatory attendance by SO/FO personnel at a series of multi-agency joint workshops for identifying draft alternative energy corridor routes.

2006-114      **State Wildlife Action Plans**

**Purposes:** The purpose of this Instruction Memorandum (IM) is to direct the Bureau of Land Management (BLM) State Directors, District and Field Managers to consider State Wildlife Action Plans (also known as Comprehensive Wildlife Conservation Strategies) in land use and conservation planning on BLM-administered lands.

## **S.8 LITERATURE CITED**

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